

2009 DRAFTING REQUEST

Bill

Received: **09/14/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Glenn Grothman (608) 266-7513**

By/Representing: **Jim Emerson**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Sen.Grothman@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Penalty for failure to stop at the scene of an accident (hit and run)

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 09/15/2009	wjackson 09/17/2009		_____			Crime
/1			jfrantze 09/17/2009	_____	cduerst 09/17/2009	mbarman 10/20/2009	
				_____	lparisi 10/20/2009		

FE Sent For: **NONE**

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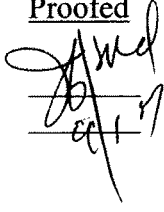
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/?	agary	1 WLJ 9/17	 9/17	 9/17			

FE Sent For:

<END>

2007 ~~SENATE~~ BILL 559

Editors: '07 Act 127 change to s. 939.22(38) is OK

March 4, 2008 - Introduced by Senator GROTHMAN, cosponsored by Representative STRACHOTA. Referred to Committee on Judiciary, Corrections, and Housing.

LPS: Please PWF

Regen

NA changes

- 1 AN ACT *to repeal* 346.74 (5) (e); *to amend* 346.74 (5) (b) and 346.74 (5) (c); and
- 2 *to create* 346.74 (5) (bm) of the statutes; **relating to:** the penalty for failing to
- 3 stop at the scene of a motor vehicle accident *and providing a penalty*

Analysis by the Legislative Reference Bureau

Under current law, if an operator of a vehicle has an accident resulting in personal injury or vehicle damage, the operator must immediately stop the vehicle at or near the scene of the accident, provide certain information, and render reasonable assistance to any injured person. A person who commits a failure-to-stop violation (hit-and-run): 1) may be fined not more than \$10,000 or imprisoned for not more than nine months or both if the accident involved injury to a person but the person did not suffer great bodily harm; 2) is guilty of a Class E felony if the accident involved injury to a person and the person suffered great bodily harm; and 3) is guilty of a Class D felony if the accident involved death to a person.

This bill creates an additional category of penalty for hit-and-run. A person guilty of hit-and-run is guilty of a Class H felony if the accident involved injury to a person and the person suffered substantial bodily harm. A Class H felony is punishable by a fine not exceeding \$10,000 or imprisonment not exceeding six years or both. "Substantial bodily harm" means bodily injury that causes a laceration that requires stitches, staples, or a tissue adhesive; any fracture of a bone; a broken nose; a burn; a temporary loss of consciousness, sight, or hearing; a concussion; or a loss or fracture of a tooth. The bill also defines "great bodily harm," *which means* bodily injury that creates a substantial risk of death, or that causes serious permanent

a petechia;

for purposes of the bill, as

SENATE BILL 559

disfigurement, or that causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 346.74 (5) (b) of the statutes is amended to read:

346.74 (5) (b) May be fined not more than \$10,000 or imprisoned for not more than 9 months or both if the accident involved injury to a person but the person did not suffer substantial bodily harm, as defined in s. 939.22 (38), or great bodily harm, as defined in s. 939.22 (14).

SECTION 2. 346.74 (5) (bm) of the statutes is created to read:

346.74 (5) (bm) Is guilty of a Class H felony if the accident involved injury to a person and the person suffered substantial bodily harm, as defined in s. 939.22 (38), but not great bodily harm, as defined in s. 939.22 (14).

SECTION 3. 346.74 (5) (c) of the statutes is amended to read:

346.74 (5) (c) Is guilty of a Class E felony if the accident involved injury to a person and the person suffered great bodily harm, as defined in s. 939.22 (14).

SECTION 4. 346.74 (5) (e) of the statutes is repealed.

SECTION 5. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection.

(END)

Barman, Mike

From: Emerson, James
Sent: Tuesday, October 20, 2009 2:55 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-3434/1 Topic: Penalty for failure to stop at the scene of an accident (hit and run)

Please Jacket LRB 09-3434/1 for the SENATE.